IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 2ND JANUARY 2007 / 12TH POUSHA 1928

WP(C).No. 32475 of 2006(N)

PETITIONER:

SHAMSUDEEN, CHIRAMMAL,
CHIRAMMAL HOUSE, PADNAKAD,
KASARAGOD DISTRICT.

BY ADV. SRI.P.A.AUGUSTIAN
SRI.V.K.SATHYANATHAN

RESPONDENTS:

THE COMMISSIONER OF CUSTOMS,
CUSTOM HOUSE, WILLINGTON ISLAND,
KOCHI-682 009.

BY ASST. S.G. SRI. JOHN VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 02/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C.NO. 32475 OF 2006

Dated this the 2nd day of January, 2007

JUDGMENT

The prayer in the Writ Petition is mainly for direction to issue copy of adjudication order to the petitioner by which duty and redemption fine are imposed for release of the vehicle. Standing counsel submitted that original order was served on clearing agent who represented the petitioner for clearing the vehicle. Even though service of order on the agent is sufficient, since petitioner claims that agent has not given copy of the order, there will be direction to the respondent to issue another copy to the petitioner. Even though petitioner has sought for direction against seizure of vehicle, I do not think any such direction is justified because vehicle could be seized only for the reasons recognised and in accordance with procedure prescribed by law, which the respondent is bound to follow and communicate to the petitioner against which petitioner can seek remedy. There is no justification for this Court to interfere at this stage.

W.P. is closed.

(C.N.RAMACHANDRAN NAIR)
Judge